General Assembly

Raised Bill No. 469

February Session, 2004

LCO No. **1901**

*01901_____PH_*

Referred to Committee on Public Health

Introduced by:
  (PH)

AN ACT CONCERNING MANDATORY LIMITS ON OVERTIME IN HOSPITALS AND NURSE-TO-PATIENT RATIOS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2004*) (a) As used in this
2 section:

3 (1) "Nurse" means a registered nurse or a practical nurse licensed
4 pursuant to chapter 378 of the general statutes, a nurse's aide
5 registered pursuant to chapter 378a of the general statutes or a
6 physician assistant licensed pursuant to section 20-12b of the general
7 statutes; and

8 (2) "Hospital" shall have the same meaning as set forth in section
9 19a-490 of the general statutes, as amended.

10 (b) No hospital may require a nurse to work in excess of a
11 predetermined scheduled work shift, provided such scheduled work
12 shift is determined and promulgated not less than forty-eight hours
13 prior to the commencement of such scheduled work shift. Any nurse
14 may volunteer or agree to work hours in addition to such scheduled

15   work shift but the refusal by a nurse to accept such additional hours
16   shall not be grounds for discrimination, dismissal, discharge or any
17   other penalty or employment decision adverse to the nurse.

18   (c) The provisions of this section shall not apply: (1) To any nurse
19   participating in a surgical procedure until such procedure is
20   completed; (2) to any nurse working in a critical care unit until such
21   nurse is relieved by another nurse who is commencing a scheduled
22   work shift; (3) in the case of a public health emergency; or (4) in the
23   case of an institutional emergency, including, but not limited to,
24   adverse weather conditions, catastrophe or widespread illness, that in
25   the opinion of the hospital administrator will significantly reduce the
26   number of nurses available for a scheduled work shift, provided the
27   hospital administrator has made a good faith effort to mitigate the
28   impact of such institutional emergency on the availability of nurses,
29   unless a collective bargaining agreement provides otherwise.

30   Sec. 2. Section 19a-89d of the general statutes is repealed and the
31   following is substituted in lieu thereof (*Effective October 1, 2004*):

32   (a) The Department of Public Health shall: (1) Develop a single,
33   uniform method for collecting and analyzing standardized data
34   concerning the linkage between nurse staffing levels and the quality of
35   acute care, long-term care and home care, including patient outcomes;
36   (2) conduct an ongoing study of the relationship between nurse
37   staffing patterns in hospitals and the quality of health care, including
38   patient outcomes; (3) obtain relevant licensure and demographic data
39   that may be available from other state agencies and make the data
40   collected under this subsection available to the public in a
41   standardized format; and (4) collaborate with hospitals and the
42   nursing profession with respect to the collection of standardized data
43   concerning patient care outcomes at such hospitals and make such
44   data available to the public in a report card format.

45   (b) The Commissioner of Public Health shall adopt regulations, in
46   accordance with the provisions of chapter 54, to establish minimum

47   nurse-to-patient ratios for nursing staffing of hospital patient care units
48   on a shift-by-shift, day-by-day basis.

This act shall take effect as follows:	
Section 1	*October 1, 2004*
Sec. 2	*October 1, 2004*

Statement of Purpose:

To establish mandatory limits on overtime work by certain hospital employees, and to require the Commissioner of Public Health to adopt regulations establishing minimum nurse-to-patient ratios.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]